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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/576,166	05/22/2000	Paul G. Ringhof	BOC9-1999-0054-US1	2270

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EXAMINER

NGUYEN, DUSTIN

ART UNIT PAPER NUMBER

2154

DATE MAILED: 06/19/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/576,166

Applicant(s)

RINGHOF ET AL.

Examiner

Dustin Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 February 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☒ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

1. Claims 1 – 38 are presented for consideration.

Specification

2. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Claim Objections

3. Claims 1 – 38 are objected to because of the following informalities: Acronyms IWSP and DA need to be spelled out. Appropriate correction is required.

Oath/Declaration

4. The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because: missing inventor's signatures.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1, 2, 6-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gerszberg et al. [US Patent No 6044403], in view of Johnson [US Patent No 6366578].

7. As per claim 1, Gerszberg discloses the invention substantially as claimed including a programmable agent workstation system comprising:

(a) a JavaPhone means [Figure 3A];

(b) a PlusTcp means [col 8, lines 59-64; and col 13, lines 29-33]; and

(c) a PlusTapi means [col 13, lines 29-33];

wherein

said JavaPhone means provides audio controls/status and/or call controls/status [col 9, lines 50-65];

said PlusTcp means provides TCP/IP communication support for local socket connections to said JavaPhone means [col 8, lines 59-64; and col 13, lines 29-33];

Gerszberg does not specifically disclose

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said PlusTapi means enumerates commands and data items to a IWSP platform to allow a DA operator to communicate with said JavaPhone means and perform related audio and call control operations.

Johnson discloses

said PlusTapi means enumerates commands and data items to a IWSP platform to allow a DA operator to communicate with said JavaPhone means and perform related audio and call control operations [col 41, lines 8-14, and lines 59-65].

It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of Gerszberg and Johnson because Johnson's teaching of PlusTapi means would provide advanced call control features over the call operations [col 41, lines 11-20].

8. As per claim 2, Gerszberg discloses one or more components of said system is implemented within an application programming interface (API) [col 13, lines 29-33].

9. As per claim 6, Gerszberg discloses one or more components of said system is implemented on a personal computer (PC) [col 15, lines 59-62].

10. As per claim 7, Gerszberg discloses personal computer (PC) utilizes a graphical user interface [col 26, lines 23-28].

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11. As per claim 8, Gerszberg does not specifically disclose graphical user interface utilizes a Microsoft Windows operating environment. Johnson discloses graphical user interface utilizes a Microsoft Windows operating environment [col 38, lines 1-7]. It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of Gerszberg and Johnson because Johnson's teaching of graphical user interface would allow users to have a better way to configure, view and manage calls.

12. As per claim 9. Johnson discloses graphical user interface utilizes an IBM AIX operating environment [col 8, lines 55-59].

13. As per claim 10, Gerszberg discloses a microphone mute/unmute means [163, Figure 3A], a raise/lower microphone gain means [col 9, lines 37-40], a headset unjacking detection means [col 9, lines 33-36], a sign on/off control/status means [col 21, lines 54-58], a call conferencing means [col 12, lines 7-15], a hold/unhold call control means [163, Figure 3A].

Gerszberg does not specifically disclose a volume up/down means, a call arrival indication means, a call termination indication means, a make busy control means.

Johnson discloses a volume up/down means, a call arrival indication means, a call termination indication means [col 19, lines 48-59; and col 20, lines 32-35], a make busy control means [col 26, lines 32-36].

It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of Gerszberg and Johnson because Johnson's teaching of indication means would provide user with friendlier user interface and more control over advanced features.

14. As per claims 11-15, they are rejected for similar reasons as stated above in claims 2, 6-9.

15. As per claim 16, it is well known in the art TCP includes functions such as a TcpOpen means, a TcpClose means, a TcpSend means, a TcpRecv means. It would have been obvious that TCP also includes other functions such as a TcpGetLastError means, and a TcpGetErrorString means.

16. As per claims 17-21, they are rejected for similar reasons as stated above in claims 2, 6-9.

17. As per claim 22, Johnson discloses a TapiMakeCall means [col 21, 50-56], a TapiHoldCall means, a TapiUnholdCall means [col 3, lines 42-47]. It would have been obvious that TAPI includes other functions such as a TapiBlindXferCall means, a TapiRetrieveCall means, a TapiDisconnect means, a TapiBlindConfCall means, a TapiLogon means, a TapiLogoff means, a TapiDTMF means, a TapiNotReady means, a TapiReady means, a TapiPing means, a TapiHoldToggle means, a TapiReadyToggle means, a TapiMuteToggle means, a TapiVolumeSet means, a TapiSetProperty means, a TapiGetProperty means, a TapiShutdown means, a TapiVolumeUp means, a TapiVolumeDown means, a TapiMicGainUp means, a TapiMicGainDown means, a TapiMicGainSet means, and a TapiDisplayErrs means.

18. As per claims 23-27, they are rejected for similar reasons as stated above in claims 2, 6-9.

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19. As per claim 28, it is rejected for similar reasons as stated above in claim 1. Furthermore, Johnson discloses VoIP [col 3, lines 61-67; and col 13, lines 49-56].
20. As per claims 29-33, they are rejected for similar reasons as stated above in claims 2, 6-9.
21. As per claim 34, it is program product claimed of claim 28, it is rejected for similar reasons as stated above in claim 28.
22. As per claims 35-38, they are rejected for similar reasons as stated above in claims 6-9.
23. Claims 3-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gerszberg et al. [US Patent No 6044403], in view of Johnson [US Patent No 6366578], and further in view of Petty et al. [US Patent No 6337858].
24. As per claim 3, Gerszberg and Johnson do not specifically disclose TCP/IP communication occurs between PC-to-phone endpoints. Petty discloses TCP/IP communication occurs between PC-to-phone endpoints [18, 34, Figure 6; and col 10, lines 51-53]. It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of Gerszberg, Johnson and Petty because Petty's teaching of TCP/IP communication would allow data to be properly transmitted between devices to keep data integrity.

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25. As per claim 4, Petty discloses TCP/IP communication occurs between phone-to-PC endpoints [24, 36, Figure 8].

26. As per claim 5, Petty discloses TCP/IP communication occurs between phone-to-phone endpoints [24, 34, Figure 8].

27. A shortened statutory period for response to this action is set to expire **3 (three) months and 0 (zero) days** from the mail date of this letter. Failure to respond within the period for response will result in **ABANDONMENT** of the application (see 35 U.S.C 133, M.P.E.P 710.02, 710.02(b)).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dustin Nguyen whose telephone number is (703) 305-5321. The examiner can normally be reached on Monday – Friday (8:00 – 5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (703) 305-9678.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directly to the receptionist whose telephone number is (703) 305-3900.

Dustin Nguyen


ZARNI MAUNG
PRIMARY EXAMINER